REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-28 and 30-34 are pending in this application.

35 U.S.C. § 103

Claims 1-28 and 30-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,590,038 to Pitroda (hereinafter "Pitroda") in view of U.S. Patent No. 6,125,352 to Franklin et al. (hereinafter "Franklin"). Applicant respectfully submits that claims 1-28 and 30-34 are allowable over Pitroda in view of Franklin.

Pitroda is directed to a universal electronic transaction card ("UET card") including receipt storage and system and methods of conducting electronic transactions (see, Title and Abstract). As discussed in the Abstract of Pitroda, the UET card is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical cards and the like. The UET card includes information storage elements, an input interface, a processor, a display, and a communications interface. The display is a touch-sensitive display which provides the user with a number of graphical images which enable the user to selectively chose the type of "credit card" to use for a transaction, and to then choose a particular credit card to use with the transaction. Sales transaction information is also transferred and stored in the UET card by the point of sales terminal to eliminate paper receipts and facilitate future storage, verification and analysis for billing, budgeting and financial management and using a home or office personal computer or other facilities.

Franklin (see, Abstract) discusses a system and method for conducting commerce over a distributed network manage merchant and product information in an electronic shopping basket, payment source information in an electronic wallet, and shipping address information in an electronic address book, all of such information being stored on a consumer computer. A commerce client running on the consumer computer is configured as a MIME handler and extends the functionality of a standard Web browser to support computer-based shopping. A merchant site Web server provides HTML-coded Web documents which describe merchant products and which host computer-based shopping options. The HTML-coded Web documents contain function-calling information by which consumer-selected options invoke shopping-related functions on either the merchant (server) computer or the consumer (client) computer. A consumer selects the options from within the Web browser to initiate shopping-related operations such as: retrieve product information from merchants on the World Wide Web, selectively store product information locally on the consumer computer, locally compare product information from different merchants, locally store payment source and shipping address information and selectively forward such information to merchant sites, order products from Web-based merchants, track the status of purchase orders, and receive instructional information on application usage.

With respect to claim 1, claim 1 recites in part:

> identifying a plurality of accounts corresponding to the user;
> selecting a subset of the plurality of accounts to make available to the user, the subset including only those accounts that can be used by the user to make a purchase at the merchant server; and
> presenting the subset of accounts to the user.

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Applicant respectfully submits that there is no disclosure or suggestion of such identifying, selecting, and presenting in Pitroda in view of Franklin.

Pitroda is cited in the November 3, 2004 Office Action as disclosing the identifying, selecting, and presenting of claim 1 (see, November 3, 2004 Office Action at ¶ 2, pp. 3-4). Applicant respectfully disagrees with this characterization of Pitroda.

More specifically, Pitroda at col. 3, line 62 to col. 4, line 11 is cited as disclosing the selecting of claim 1 (see, November 3, 2004 Office Action at ¶ 2, p. 3). This cited portion of Pitroda is as follows:

> In a preferred embodiment, the UET card includes a touch-sensitive display which is large enough to display a visibly perceptible replica of a credit card and a visibly perceptible replica of the user's signature. Menus can be provided on the touch sensitive display to enable the user to select one service institution from a group of service institutions in order to proceed with a transaction using the card. Further, the touch-sensitive display may be provided with multiple levels of menus, including at least one level enabling the user to select from groups of service institutions, and at least one other level enabling the user to select a particular service institution. In addition, a graphic image of a service institution may be displayed when the service institution is selected by a user, along with the user's name and account number. Alternatively, instead of a touch-sensitive display, the UET card may be provided with a pointing device.

Thus, this cited portion of Pitroda discusses that menus can be provided on a touch sensitive display to enable the user to select one service institution from a group of service institutions in order to proceed with a transaction using the card. This selection, however, is a selection made by the user rather than a selection of a subset of a plurality of accounts to make available to the user. Although this cited portion of Pitroda mentions that multiple levels of menus may be provided,

nowhere is there any discussion or mention that a selected subset of accounts includes only those accounts that can be used by the user to make a purchase at a merchant server. Simply allowing a user to use menus to select information that is stored on his or her card does not disclose or suggest limiting the subset of accounts presented to the user to include only those accounts that can be used by the user to make a purchase at the merchant server. Without any discussion or mention of a subset including only those accounts that can be used by the user to make a purchase at the merchant server as recited in claim 1, Applicant respectfully submits that Pitroda cannot disclose or suggest the selecting of claim 1.

Furthermore, as there is no disclosure or suggestion of selecting a subset of the plurality of accounts as recited in claim 1, Applicant respectfully submits that there cannot be any disclosure or suggest of presenting such a subset of accounts to the user as recited in claim 1. Although Pitroda discusses providing menus on a touch sensitive display to enable the user to select one service institution from a group of service institutions, such displayed menus do not disclose or suggest presenting a subset of accounts to the user, the subset including only those accounts that can be used by the user to make a purchase at the merchant server as recited in claim 1.

With respect to Franklin, Franklin is cited as disclosing receiving, from a merchant server (see, November 3, 2004 Office Action at ¶ 2, p. 4). Franklin is not cited as curing the deficiencies of Pitroda discussed above. For at least these reasons, Applicant respectfully submits that claim 1 is allowable over Pitroda in view of Franklin.

Given that claims 2, 6, 9, and 10 depend from claim 1, Applicant respectfully submits that claims 2, 6, 9, and 10 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1.

With respect to claim 3, claim 3 depends from claim 1 and Applicant respectfully submits that claim 3 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, claim 3 recites:

> One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

Applicant respectfully submits that there is no disclosure or suggestion in Pitroda of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of the card type options for use (see, col. 13, lines 59-62). For example, the user can select by touching box next to the 'credit' on the screen, all the credit cards available (see, col. 13, lines 62-64).

However, there is no mention in Pitroda of the accounts presented to the user being only those that can be used by the user to make a purchase at the merchant server, with those accounts being accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an

account type identified by the merchant server as being useable. There is no mention in Pitroda of a merchant or merchant server identifying types of accounts that can be used and presenting only those accounts to the user as recited in claim 3. Additionally, there is no mention in Pitroda of further including in those accounts presented to the user accounts of a type that are mapped to an account type identified by the merchant server as being useable as recited in claim 3. Applicant respectfully submits that the discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest any such identifying, presenting, or including.

Thus, without any mention, much less discussion, of such accounts in Pitroda, Applicant respectfully submits that Pitroda cannot disclose or suggest the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable as recited in claim 3.

With respect to Franklin, Applicant respectfully submits that Franklin is not cited as curing this deficiency of Pitroda. As such, for at least these reasons Applicant respectfully submits that claim 3 is allowable over Pitroda in view of Franklin.

With respect to claim 4, claim 4 depends from claim 1 and Applicant respectfully submits that claim 4 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, claim 4 recites:

One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

Applicant respectfully submits that there is no disclosure or suggestion in Pitroda of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

As discussed above, Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of the card type options for use. However, there is no mention in Pitroda of the accounts presented to the user being only those that can be used by the user to make a purchase at the merchant server, with those accounts being accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to the an account of a type identified by the merchant server. There is no mention in Pitroda of a merchant or merchant server identifying types of accounts that can be used and presenting only those accounts to the user as recited in claim 4. Additionally, there is no mention in Pitroda of further including in those accounts presented to the user accounts of a type from which funds can be added to an account of a type identified by the merchant server as recited in claim 4. Applicant respectfully submits that the discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest any such identifying, presenting, or including.

Thus, without any mention, much less discussion, of such accounts in Pitroda, Applicant respectfully submits that Pitroda cannot disclose or suggest the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server as recited in claim 4.

With respect to Franklin, Applicant respectfully submits that Franklin is not cited as curing this deficiency of Pitroda. As such, for at least these reasons Applicant respectfully submits that claim 4 is allowable over Pitroda in view of Franklin.

Given that claim 5 depends from claim 3, Applicant respectfully submits that claim 5 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 3.

With respect to claim 7, claim 7 depends from claim 1 and Applicant respectfully submits that claim 7 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, Applicant notes that although the language of claim 7 is recited in the November 3, 2004 Office Action (see, November 3, 2004 Office Action at ¶ 2, pp. 5-6), there is no identification in the November 3, 2004 of any portion(s) of any of the cited references that are being relied on in rejecting claim 7. If the rejection of claim 7 is maintained, Applicant respectfully requests that the Examiner identify which portions of the cited references are being relied on in rejecting claim 7.

Given that claim 8 depends from claim 7, Applicant respectfully submits that claim 8 is likewise allowable over Pitroda in view of Franklin for at least the

reasons discussed above with respect to claim 7. Furthermore, Applicant notes that although Pitroda is cited in the November 3, 2004 Office Action as disclosing the elements of claim 8 (see, November 3, 2004 Office Action at ¶ 2, p. 6), there is no identification in the November 3, 2004 of which portion(s) of Pitroda are being relied on as disclosing the elements of claim 8. If the rejection of claim 8 is maintained, Applicant respectfully requests that the Examiner identify which portion(s) of Pitroda are being relied on in rejecting claim 8.

With respect to claim 11, claim 11 recites:

> A method comprising:
> presenting a plurality of accounts of different types to a user, the plurality of accounts being included in an electronic wallet; and
> allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts.

Applicant respectfully submits that Pitroda in view of Franklin does not disclose the presenting and allowing of claim 11.

In the November 3, 2004 Office Action, it is acknowledged that Pitroda does not disclose the allowing of claim 11 (see, November 3, 2004 Office Action at ¶ 2, p. 7). However, the Abstract of Franklin is relied on as disclosing the allowing of claim 11 (see, November 3, 2004 Office Action at ¶ 2, p. 7). The Abstract of Franklin is as follows:

> A system and method for conducting commerce over a distributed network manage merchant and product information in an electronic shopping basket, payment source information in an electronic wallet, and shipping address information in an electronic address book, all of such information being stored on a consumer computer. A commerce client running on the consumer computer is configured as a MIME handler and extends the functionality of a standard Web browser to support computer-based shopping. A merchant site Web server provides HTML-coded Web documents which describe

merchant products and which host computer-based shopping options. The HTML-coded Web documents contain function-calling information by which consumer-selected options invoke shopping-related functions on either the merchant (server) computer or the consumer (client) computer. A consumer selects the options from within the Web browser to initiate shopping-related operations such as: retrieve product information from merchants on the World Wide Web, selectively store product information locally on the consumer computer, locally compare product information from different merchants, locally store payment source and shipping address information and selectively forward such information to merchant sites, order products from Web-based merchants, track the status of purchase orders, and receive instructional information on application usage.

Although payment source information being managed in an electronic wallet is discussed in the Abstract of Franklin, Applicant respectfully submits that there is no discussion of allowing a user to transfer value from one of a plurality of accounts to another of the plurality of accounts, the plurality of accounts being included in an electronic wallet, as recited in claim 11.

For at least these reasons, Applicant respectfully submits that claim 11 is allowable over Pitroda in view of Franklin.

Given that claims 12, 13, and 16 depend from claim 11, Applicant respectfully submits that claims 12, 13, and 16 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 11.

With respect to claim 14, claim 14 depends from claim 11 and Applicant respectfully submits that claim 14 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 11. Furthermore, claim 14 recites:

> A method as recited in claim 11, wherein the allowing comprises allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase.

Pitroda is cited in the November 3, 2004 Office Action as disclosing the allowing of claim 14 (see, November 3, 2004 Office Action at ¶ 2, p. 8). However, elsewhere in the November 3, 2004 Office Action it is acknowledged that Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, November 3, 2004 Office Action at ¶ 2, p. 7). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11, Applicant respectfully submits that Pitroda cannot disclose wherein the allowing comprises allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase as recited in claim 14.

For at least these reasons, Applicant respectfully submits that claim 14 is allowable over Pitroda in view of Franklin.

With respect to claim 15, claim 15 depends from claim 14 and Applicant respectfully submits that claim 15 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 14. Furthermore, claim 15 recites:

> A method as recited in claim 14, wherein the allowing further comprises allowing the user to transfer value from an account that is not accepted by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant.

Pitroda is cited in the November 3, 2004 Office Action as disclosing the allowing of claim 15 (see, November 3, 2004 Office Action at ¶ 2, pp. 8-9). However, elsewhere in the November 3, 2004 Office Action it is acknowledged that Pitroda does not disclose the allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, November 3, 2004 Office Action at ¶ 2, p. 7). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11, Applicant respectfully submits that Pitroda cannot disclose wherein the allowing further comprises allowing the user to transfer value from an account that is not accepted by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant as recited in claim 15.

For at least these reasons, Applicant respectfully submits that claim 15 is allowable over Pitroda in view of Franklin.

With respect to claim 17, claim 17 recites:

> A system comprising:
> a wallet server to store a plurality of payment accounts for a user; and
> a user interface component, coupled to the wallet server, to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another.

Applicant respectfully submits that Pitroda in view of Franklin does not disclose or suggest a wallet server and user interface component as recited in claim 17.

Applicant respectfully submits that, similar to the discussion above regarding claim 11, Pitroda in view of Franklin does not disclose or suggest a user

interface component, coupled to the wallet server, to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another as recited in claim 17.

Furthermore, Pitroda is cited in the November 3, 2004 Office Action as disclosing the user interface component of claim 17 (see, November 3, 2004 Office Action at ¶ 2, p. 9). However, elsewhere in the November 3, 2004 Office Action it is acknowledged that Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, November 3, 2004 Office Action at ¶ 2, p. 7). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11, Applicant respectfully submits that Pitroda cannot disclose a user interface component to allow manipulation of the payment accounts including transferring value from one payment account to another as recited in claim 17.

For at least these reasons, Applicant respectfully submits that claim 17 is allowable over Pitroda in view of Franklin.

Given that claim 18 depends from claim 17, Applicant respectfully submits that claim 18 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 17.

With respect to claim 19, claim 19 recites:

> A method comprising:
> receiving a request from a user to make a purchase using a particular type of fund included in an electronic wallet of the user;
> converting payment information corresponding to the particular fund to a credit card format; and
> communicating the converted payment information to a merchant for the purchase.

Applicant respectfully submits that Pitroda in view of Franklin does not disclose or suggest the receiving, converting, and communicating of claim 19.

Pitroda is cited in the November 3, 2004 Office Action as disclosing the converting and communicating of claim 19 (see, November 3, 2004 Office Action at ¶ 2, pp. 9-10). As discussed above, the UET card of Pitroda is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical cards and the like. The UET card is capable of functioning as a number of different credit cards or other transaction or identification cards, which provides the user of the UET card with the capability of selecting one of many such cards for use in a particular transaction (see, col. 1, lines 20-25). Additionally, Pitroda discusses that in order to activate the UET card for a particular credit card service or other service institution, authorization data enabling the UET card to function as a "credit card" or other type of "card" for that institution is transmitted to the UET card (see, col. 15, lines 40-64).

However, Applicant respectfully submits that nowhere in Pitroda is there any discussion or suggestion of the UET card being used to convert payment information corresponding to a particular fund to a credit card format, and communicating the converted payment information to a merchant for the purchase as recited in claim 19. The cited portion of Pitroda discusses that the UET card is capable of functioning as a number of different credit cards or other transaction or identification cards. However, the mere disclosure that the UET card is capable of functioning as a number of different credit cards or other transaction or identification cards does not disclose or suggest any sort of converting of payment information to a credit card format. There is no mention of any sort of converting

information to a particular credit card format in Pitroda. Thus, Applicant respectfully submits that Pitroda cannot disclose or suggest the converting and communicating of claim 19.

With respect to Franklin, Franklin is not cited as curing this deficiency of Pitroda. For at least these reasons Applicant respectfully submits that claim 19 is allowable over Pitroda in view of Franklin.

Given that claims 20-25 depend from claim 19, Applicant respectfully submits that claims 20-25 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 19.

With respect to claim 26, claim 26 recites:

> A method comprising:
> maintaining, in an electronic wallet, a plurality of different types of payment accounts for a user;
> allowing the user to transfer payment information stored in the payment accounts to merchants to make purchases; and
> allowing the user to transfer funds between different ones of the plurality of different types of payment accounts.

Applicant respectfully submits that, similar to the discussion above regarding claim 11, Pitroda in view of Franklin does not disclose allowing the user to transfer funds between different ones of the plurality of different types of payment accounts that are maintained in an electronic wallet as recited in claim 26. For at least these reasons, Applicant respectfully submits that claim 26 is allowable over Pitroda in view of Franklin.

Given that claims 27, 28, and 30-33 depend from claim 26, Applicant respectfully submits that claims 27, 28, and 30-33 are likewise allowable over

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Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 26.

Claims 20 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pitroda in view of Franklin and further in view of U.S. Patent No. 5,710,886 to Christensen et al. (hereinafter "Christensen"). Applicant respectfully submits that claims 20 and 21 are not obvious over Pitroda in view of Franklin and further in view of Christensen.

With respect to claims 20 and 21, given that claims 20 and 21 depend from claim 19, Applicant respectfully submits that claims 20 and 21 are allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 19. Furthermore, Applicant respectfully submits that Christensen is not cited as curing the deficiencies of Pitroda in view of Franklin discussed above with respect to claim 19. For at least these reasons, Applicant respectfully submits that claim 19 is allowable over Pitroda in view of Franklin and further in view of Christensen, and thus that claims 20 and 21 are allowable over Pitroda in view of Franklin and further in view of Christensen.

With respect to claim 34, it appears from the November 3, 2004 Office Action (see, November 3, 2004 Office Action at ¶ 3, pp. 13-14) that Christensen is being relied on as disclosing claim 34.

Christensen is directed to an electric couponing method and apparatus (see, Title). A package of data, including coupon data, is generated for consumers on a particular list and transmitted to those consumers (see, col. 4, lines 17-21). Demographic and identification data received from a consumer is then entered into a database, and a validation code is transmitted to the consumer's computer so as

to allow the consumer's computer to generate a coupon from the coupon data in the package of data (see, col. 4, lines 21-26). The consumer may redeem the printed coupon(s) at a retailer in the same manner as prior art printed coupons (see, col. 10, lines 22-24). The retailer may scan these coupons using traditional scanning equipment, to determine the correct discount or rebate to apply to a product, or may use manual redemption techniques (e.g., reading printed indicia on the coupon to determine the discount or rebate for the indicated product) (see, col. 10, lines 24-30).

In contrast, claim 34 recites:

> One or more computer readable media having stored thereon a plurality of instructions that, when executed by one or more processors, causes the one or more processors to perform acts including:
> maintaining a gift certificate account including payment information corresponding to the gift certificate account;
> presenting, to the user, the gift certificate account as a gift certificate; and
> presenting, to a merchant, the gift certificate account as a credit card.

Applicant respectfully submits that Christensen does not disclose or suggest the maintaining and presenting of claim 34.

In the November 3, 2004 Office Action, the Abstract of Christensen is being relied on as disclosing the maintaining and presenting of claim 34 (see, November 3, 2004 Office Action at ¶ 3, pp. 13-14, and p. 12). Although rebate or gift certificates are mentioned in the Abstract of Christensen, Applicant respectfully submits that Christensen does not disclose presenting, to the user, a gift certificate account as a gift certificate and presenting, to a merchant, the gift certificate account as a credit card as recited in claim 34. The mere disclosure of

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coupons, or rebate or gift certificates does not disclose presenting the coupons, rebate or gift certificates to the user as something different than what they are presented to the merchant as, as recited in claim 34. Thus, Applicant respectfully submits that Christensen cannot disclose or suggest the maintaining and presenting of claim 34.

With respect to Pitroda and Franklin, the November 3, 2004 Office Action acknowledges that Pitroda in view of Franklin does not disclose the maintaining and presenting of claim 34 (see, November 3, 2004 Office Action at ¶ 3, pp. 13-14, and p. 12).

For at least these reasons, Applicant respectfully submits that claim 34 is allowable over Christensen, as well as Pitroda in view of Franklin and further in view of Christensen.

Applicant respectfully requests that the §103 rejections be withdrawn.

Conclusion

Claims 1-28 and 30-34 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date: 4/13/05

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